



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 44265

File ID: 44265

File Type: Ordinance

Status: Referred

Version: 1

Reference:

Controlling Body: BOARD OF
HEALTH FOR
MADISON AND
DANE COUNTY

File Created Date : 08/30/2016

File Name: Updating lead water service line requirements &
penalty

Final Action:

Title: Amending Sec. 13.18 and Sec. 1.08(3)(a) of the Madison General Ordinances to
update the lead water service line requirements and penalty.

Notes: 5871lead

CC Agenda Date: 09/06/2016

Sponsors: David Ahrens and Sheri Carter

Effective Date:

Attachments: Body

Enactment Number:

Author: Doran Viste

Hearing Date:

Entered by: dalthaus@cityofmadison.com

Published Date:

Approval History

Version	Date	Approver	Action
1	08/30/2016	Michael May	Approved as to Form
1	08/30/2016	Travis J. Martin	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office/Approval Group	08/30/2016	Referred for Introduction				
	Action Text:		This Ordinance was Referred for Introduction				
	Notes:	Water Utility Board, Board of Estimates, Board of Health Madison and Dane County					
1	COMMON COUNCIL	09/06/2016	Refer	WATER UTILITY BOARD			Pass
	Action Text:	A motion was made by Verveer, seconded by Rummel, to Refer to the WATER UTILITY BOARD. The motion passed by voice vote/other.					
	Notes:	Additional referrals to Board of Estimates, Board of Health Madison and Dane County					

1	WATER UTILITY BOARD	09/06/2016	Referred	BOARD OF ESTIMATES	10/24/2016
	Action Text:	This Ordinance was Referred to the BOARD OF ESTIMATES			
	Notes:				
1	WATER UTILITY BOARD	09/06/2016	Referred	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	
	Action Text:	This Ordinance was Referred to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY			
	Notes:				
1	BOARD OF ESTIMATES	10/24/2016	Return to Lead with the Recommendation for Approval	WATER UTILITY BOARD	Pass
	Action Text:	A motion was made by Rummel, seconded by Wood, to Return to Lead with the Recommendation for Approval to the WATER UTILITY BOARD. The motion passed by voice vote/other.			
1	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	12/08/2016			

Text of Legislative File 44265

Fiscal Note

The estimated reimburseable rebate costs detailed in this proposed ordinance are budgeted at \$5,000 in the Water Utility's adopted 2016 operating budget. The proposed amendment of Sec.13.18 and Sec3 1.08(3)(a) of the Madison General Ordinances increases the maximum reimbursable rebate amount from \$1,000 to \$1,500. An increase in annual program expense is not anticipated from this modification, however, annual reevaluation of program costs will provide for adjustments to future year's budgets as necessary.

Title

Amending Sec. 13.18 and Sec. 1.08(3)(a) of the Madison General Ordinances to update the lead water service line requirements and penalty.

Body

DRAFTER'S ANALYSIS: In 2000, the City entered into a consent order (2000-COEE-001) with the Wisconsin Department of Natural Resources (WDNR) that required the City to implement a lead water service line replacement program, which program is set forth in Section 13.18, MGO. This consent order was amended in 2010 (2000-COEE-001-A), giving the City until January 1, 2012 to complete the replacement of City-side lead water service lines. Under the amended consent order, the City was required to have private lead water service lines discovered after January 1, 2012 replaced within twelve-months of discovery.

The City's lead water service line replacement program has been very successful and in December, 2012 WDNR closed out the consent order. Based upon the City's own actions and the enforcement of Sec. 13.18, all City owned and most privately owned lead water service lines have been replaced. However, there remain two classes of privately owned lead water service lines in the City: properties where the lead water service line was discovered more than twelve months ago and have not yet been replaced or removed; and properties where the lead water service line has either been discovered in the last twelve months or has not yet been discovered.

This ordinance updates the lead water service line replacement ordinance to eliminate the phasing and inspection language no longer relevant. Instead, the amended ordinance sets forth the two remaining classes of properties still subject to the replacement requirement: those whose lead water service line was discovered more than twelve months ago and remain in

service; and those that have been discovered during the last twelve months or have yet to be discovered.

In addition, as part of this update to the ordinance, the reimbursement rebate is being increased from \$1,000 to \$1,500. This change is being done to better reflect the current costs private property owners are incurring to replace lead water service lines.

Additionally, the bond schedule for violating this ordinance is being updated to give the Water Utility additional enforcement tools, short of pursuing a long form civil judgment, to address non-compliant properties.

Finally, this ordinance will have an effective date of November 1, 2016.

The Common Council of the City of Madison do hereby ordain as follows:

Please see "Body" in Attachments.